

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

UNITED STATES OF AMERICA

v.

SHANNON MURPHY

*
* CASE NO. APR 19 P 2:11
*

*
* ~~2:07cv336-MEF~~
* DEBRA J. BROWN, CLERK
* U.S. DISTRICT COURT
* MIDDLE DISTRICT ALA.
2:07CV336-mef

MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE
BY A PERSON IN FEDERAL CUSTODY
PURSUANT TO 28 U.S.C. 2255

1. Name and location of Court which entered the Judgment of Conviction under attack:

United States District Court, Middle District of Alabama.

2. Date of Judgment of Conviction: November 21, 2007

3. Length of Sentence: 24 months

4. Nature of Offense Involved: 21 U.S.C. §846

5. What was your Plea? Guilty

6. Kind of Trial? None

7. Did you testify at trial? No

8. Did you appeal from the Judgment of Conviction? No

9. If you did Appeal, answer the following:

(a) Name of Court - N/A

(b) Result - N/A

(c) Date of Result - N/A

(d) No Evidentiary Hearing. N/A

10. Other than a direct Appeal from the Judgment of Conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this judgment in any federal court? Yes

11. If you answer to 10 was "yes", give the following information:

(a) Name of Court: N/A

(b) Result: N/A

(c) Date of Result: N/A

(d) No Evidentiary Hearing: NA

12. State concisely every ground on which you claim that you are being held unlawfully.

(a) Ground One:

Defendant was sentenced on the basis of inaccurate and incomplete information and the Court's sentencing goals have been frustrated denying the defendant the rehabilitation benefits directed by the Court.

Supporting Facts:

The facts are more fully set out in the supporting memorandum of law.

13. If any of the grounds listed in 12(a) were previously presented, state briefly what grounds were not presented, and give your reasons for not presenting them.

14. Do you have any petition or appeal now pending in any court as to the judgment under attack? No

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing:

(b) At arraignment: Daniel Hamm, 560 McDonough St., Montgomery, AL 36104;
Banks Thomas Smith, P. O. Box 1748, Dothan, AL 36302-1748

(c) At trial: NA

(d) At Sentencing: Susan G. James, Attorney at Law, 600 S. McDonough Street,
Montgomery, Alabama 36104, 334-269-3330.

(e) On Appeal:

(f) In any post-conviction proceedings. Susan G. James, Attorney at Law, 600 S.
McDonough Street, Montgomery, Alabama 36104, 334-269-3330.


(g) On appeal from any adverse ruling on a post-conviction proceeding: NA

16. Were you sentenced on more than one count of an indictment, or on more than one indictment in the same court and at approximately the same time? No

17. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack? No

WHEREFORE, Movant prays that the Court grant him all relief to which she may be entitled in this proceeding.

Respectfully submitted this 11th day of April 2007.


Susan G. James (ASB-7956-J64S)
Attorney for Movant

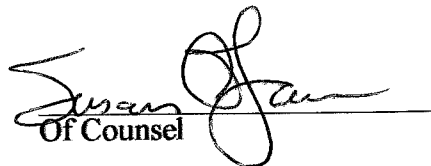
Address of Counsel:
Law Office of
Susan G. James & Associates
600 South McDonough St.
Montgomery, Alabama 36104
334/269-3330
334/263-4888 (Fax)

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing was served upon Mr. Louis Franklin, Assistant United States Attorney, P. O. Box 197, Montgomery, Alabama 36101 this 11th day of April 2007.

The above instrument was served via:

- ☐ personal service
- ☒ first class mail
- ☐ certified mail, return receipt requested
- ☐ facsimile
- ☐ overnight courier


Of Counsel

UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

SHANNON S. MURPHY

Case Number:

2:06CR122-MEF

USM Number:

11947-002

Susan G. James

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) 1 of the Indictment on 9/6/2006☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

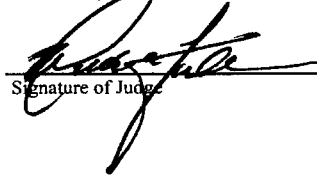
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21:846	Conspiracy to Distribute a Controlled Substance	11/1/2005	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 21, 2006

Date of Imposition of Judgment



Signature of Judge

MARK E. FULLER, CHIEF U.S. DISTRICT JUDGE

Name and Title of Judge

1 December 2006

Date

DEFENDANT: **SHANNON S. MURPHY**
CASE NUMBER: **2:06CR122-MEF**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

Twenty four (24) months.

☒ The court makes the following recommendations to the Bureau of Prisons:

The Court recommends that defendant be designated to a facility where Intensive Residential Substance Abuse Treatment is available. The Court further recommends that defendant be expedited into this program.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: **SHANNON S. MURPHY**
CASE NUMBER: **2:06CR122-MEF**

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :

Three (3) years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B

Case 2:06-cr-00122-MEF-WC
(Rev. 06/05) Judgment in a Criminal Case
Sheet 3C — Supervised Release

Document 128

Filed 12/01/2006

Page 4 of 6

Judgment—Page 4 of 6

DEFENDANT: **SHANNON S. MURPHY**
CASE NUMBER: **2:06CR122-MEF**

SPECIAL CONDITIONS OF SUPERVISION

Defendant shall participate in drug testing and shall contribute to the cost of any testing based on ability to pay and availability of third party payments and require defendant to participate in drug treatment program after defendants release.

Defendant shall submit to a search of her person, residence, office or vehicle pursuant to the search policy of this Court.

DEFENDANT: **SHANNON S. MURPHY**
CASE NUMBER: **2:06CR122-MEF**

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 100.00	\$ 0	\$ 0

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____	\$ _____
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: **SHANNON S. MURPHY**
CASE NUMBER: **2:06CR122-MEF**

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
- ☐ not later than _____, or
X in accordance ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:

Criminal monetary payments shall be made payable to the Clerk, U.S. District Court, Middle District of Alabama, P.O. Box 711, Montgomery, AL 36101.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

CLOSED

**U.S. District Court
Alabama Middle District (Montgomery)
CRIMINAL DOCKET FOR CASE #: 2:06-cr-00122-MEF-WC-3
Internal Use Only**

Case title: USA v. Watson et al

Date Filed: 05/02/2006

Assigned to: Hon. Chief Judge Mark E.
Fuller
Referred to: Honorable Wallace Capel,
Jr

Defendant

Shannon S. Murphy (3)
TERMINATED: 12/01/2006

represented by **Banks Thomas Smith**
Hall Smith Prim & Freeman, PA
PO Box 1748
Dothan, AL 36302-1748
334-793-3610
Fax: 671-1843
Email: bsmith@hallsmith.com
TERMINATED: 06/27/2006
LEAD ATTORNEY
Designation: CJA Appointment

Daniel Gary Hamm
Daniel G. Hamm, Attorney at Law
560 South McDonough Street, Suite A
Montgomery, AL 36104
334-269-0269
Fax: 334-323-5666
Email: dhamm@dghlegal.com
TERMINATED: 05/15/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Denise Arden Simmons
Susan G. James & Associates
P. O. Box 198
Montgomery, AL 36101-0198
(334) 269-3330
Fax: 263-4888
Email: sgjamesandassoc@aol.com
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Susan Graham James

Susan G. James & Associates

PO. Box 198

Montgomery, AL 36101-0198

334-269-3330

Fax: 334-263-4888

Email: sgjamesandassoc@aol.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

21:846 CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE - NMT \$4,000,000; [*];
NLT 10Y; NMT LIFE; B; NLT 5Y SUP
REL; G-LINES; VWPA; \$100 SA
(1)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

24 Mos Imp; 3 Yrs Sup Rel; \$100 SA

Disposition

Disposition

Plaintiff

USA

represented by **A. Clark Morris**

U.S. Attorney's Office

PO Box 197

Montgomery, AL 36101-0197

334-223-7280








Fax: 223-7560

Email: clark.morris@usdoj.gov

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Terry F. Moorer
 U.S. Attorney's Office
 PO Box 197
 Montgomery, AL 36101-0197
 334-223-7280
 Fax: 223-7560
 Email: debbie.shaw@usdoj.gov
TERMINATED: 02/07/2007
LEAD ATTORNEY

Todd A. Brown
 U.S. Attorney's Office
 PO Box 197
 Montgomery, AL 36101-0197
 334-223-7280
 Fax: 223-7560
 Email: todd.brown@usdoj.gov
TERMINATED: 05/15/2006
LEAD ATTORNEY

Date Filed	#	Docket Text
05/03/2006	 <u>5</u>	WARRANT Issued as to Shannon S. Murphy. (jct,) (Entered: 05/03/2006)
05/08/2006		Case unsealed as to Shannon S. Murphy pursuant to the notice of arrest received from the USMS (ws,) (Entered: 05/08/2006)
05/08/2006	 <u>6</u>	MOTION to Substitute Attorney by USA as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy. (Moorer, Terry) (Entered: 05/08/2006)
05/08/2006	 <u>9</u>	NOTICE OF ATTORNEY APPEARANCE: Daniel Gary Hamm appearing for Shannon S. Murphy (Hamm, Daniel) (Entered: 05/08/2006)
05/08/2006	 <u>12</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Initial Appearance as to Shannon S. Murphy held on 5/8/2006 (Atty. Dan Hamm present for IA only, FD to appoint a different attorney due to conflict) (Recording Time 2:38 - 5:00.) (war) (Entered: 05/08/2006)
05/08/2006	 <u>13</u>	CJA 23 Financial Affidavit by Shannon S. Murphy (war,) (Entered: 05/08/2006)
05/08/2006		ORAL MOTION to Appoint Counsel by Shannon S. Murphy. (war,) (Entered: 05/08/2006)




05/08/2006	●	ORDER (ORAL) granting Oral Motion to Appoint Counsel: Appointed Daniel Gary Hamm (for representation in the Initial Appearance only due to conflict) for Shannon S. Murphy (3). Signed by Judge Vanzetta P. McPherson on 5/8/06. (war,) (Entered: 05/08/2006)
05/08/2006	● <u>15</u>	Non-Surety Appearance Bond Entered as to Shannon S. Murphy in amount of \$ 25,000, (war,) (Entered: 05/08/2006)
05/08/2006	● <u>16</u>	ORDER Setting Conditions of Release as to Shannon S. Murphy (3) \$25,000 Non-Surety Appearance Bond . Signed by Judge Vanzetta P. McPherson on 5/8/06. (war,) (Entered: 05/08/2006)
05/09/2006	● <u>18</u>	ORDER granting <u>6</u> Government's Motion to Substitute Attorney as to Kendall R. Watson (1), Calvin Chance (2), Shannon S. Murphy (3). Signed by Judge Vanzetta P. McPherson on 5/9/06. (ws) (Entered: 05/09/2006)
05/09/2006	● <u>20</u>	ORDER as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy : Arraignment set for 5/17/2006 10:00 AM in Courtroom 5A before Honorable Vanzetta P. McPherson.. Signed by Judge Vanzetta P. McPherson on 5/9/06. The U.S. Marshal is DIRECTED to produce defendants for arraignment. (ws,) (Entered: 05/09/2006)
05/09/2006	● <u>21</u>	CJA 20 as to Shannon S. Murphy: Appointment of Attorney Daniel Gary Hamm for Shannon S. Murphy (Appointed for IA only due to conflict) . Signed by Judge Vanzetta P. McPherson on 5/9/06. (war,) (Entered: 05/09/2006)
05/10/2006	● <u>23</u>	MOTION to Withdraw as Attorney by Daniel G. Hamm. by Shannon S. Murphy. (Hamm, Daniel) (Entered: 05/10/2006)
05/10/2006	● <u>24</u>	MOTION to Withdraw as Attorney by Todd A. Brown. by USA as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy. (Brown, Todd) (Entered: 05/10/2006)
05/11/2006	● <u>27</u>	Arrest Warrant Returned Executed in case as to Shannon S. Murphy. Defendant arrested on 5/8/2006. (sql,) (Entered: 05/11/2006)
05/15/2006	● <u>29</u>	ORDER as to Shannon S. Murphy granting <u>23</u> MOTION to Withdraw as Attorney by Daniel G. Hamm as to Shannon S. Murphy, (incorporating ORDER APPOINTING PANEL ATTORNEY Banks Thomas Smith for Shannon S. Murphy.) Added Attorney Banks Thomas Smith for Shannon S. Murphy. Attorney Daniel Gary Hamm terminated in case as to Shannon S. Murphy. Signed by Judge Vanzetta P. McPherson on 5/15/06. (ws) (Entered: 05/15/2006)
05/15/2006	● <u>30</u>	ORDER granting <u>24</u> Motion to Withdraw as Attorney file by USA. Attorney Todd A. Brown withdrawn from case as to Kendall R. Watson (1), Calvin Chance (2), Shannon S. Murphy (3). Signed by Judge Vanzetta P. McPherson on 5/12/06. (ws) (Entered: 05/15/2006)

05/15/2006	<u>32</u>	CJA 20 as to Shannon S. Murphy: Appointment of Attorney Banks Thomas Smith for Shannon S. Murphy. . Signed by Judge Vanzetta P. McPherson on 5/15/2006. (sql,) (Entered: 05/15/2006)
05/17/2006	<u>38</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Arraignment as to Shannon S. Murphy (3) Count 1 held on 5/17/2006, Plea entered by Shannon S. Murphy Not Guilty on counts 1. (Recording Time FTR: 10:50 - 10:54.) (war,) (Entered: 05/17/2006)
05/17/2006	<u>39</u>	WAIVER of Speedy Trial by Shannon S. Murphy (war,) (Entered: 05/17/2006)
05/18/2006	<u>41</u>	ORDER ON ARRAIGNMENT as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy Pretrial Conference set for 6/2/2006 09:00 AM in Courtroom 5A before Honorable Vanzetta P. McPherson. Jury Selection set for 9/11/2006 10:00 AM in Courtroom 2A before Hon. Chief Judge Mark E. Fuller. Jury Trial set for 9/11/2006 before Hon. Chief Judge Mark E. Fuller. Pretrial Motions due by 5/30/2006. Discovery due by 5/17/2006.. Signed by Judge Vanzetta P. McPherson on 5/18/2006. (sql,) (Entered: 05/18/2006)
06/02/2006	<u>46</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Pretrial Conference as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy held on 6/2/2006 (Recording Time FTR: 9:42 - 9:49.) (war,) (Entered: 06/02/2006)
06/05/2006	<u>47</u>	ORDER as to Shannon S. Murphy; that counsel for the parties file a Joint Notice of Intent to Resolve the Case by Plea by noon on 6/16/06; Signed by Judge Vanzetta P. McPherson on 6/5/06. (ajr) (Entered: 06/05/2006)
06/12/2006	<u>50</u>	PRETRIAL CONFERENCE ORDER as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy Jury Selection set for 9/11/2006 before Hon. Chief Judge Mark E. Fuller. Jury Trial set for 9/11/2006 before Hon. Chief Judge Mark E. Fuller. Voir Dire due by 9/5/2006 Proposed Jury Instructions due by 9/5/2006 Motions in Limine due by 9/5/2006 Notice of Intent to Change Plea due by noon on 8/30/2006.. Signed by Judge Delores R. Boyd on 6/12/2006. (sql,) (Entered: 06/12/2006)
06/15/2006	<u>51</u>	ORDER as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy : Pretrial Conference set for 7/17/2006 09:00 AM in Courtroom 5A before Honorable Vanzetta P. McPherson. Signed by Judge Vanzetta P. McPherson on 6/15/06. (ws) (Entered: 06/15/2006)
06/16/2006	<u>52</u>	STATUS REPORT by USA as to Shannon S. Murphy (Moorer, Terry) (Entered: 06/16/2006)
06/20/2006	<u>54</u>	First MOTION to Withdraw as Attorney <i>for Shannon Murphy</i> by Banks T. Smith. by Shannon S. Murphy. (Smith, Banks) (Entered: 06/20/2006)
06/23/2006	<u>55</u>	MOTION for Leave to Appear Notice Attorney: Susan G. James. by Shannon S. Murphy. (James, Susan) (Entered: 06/23/2006)

06/27/2006	<u>56</u>	ORDER granting <u>54</u> Motion to Withdraw as Attorney by Banks T. Smith as to Shannon S. Murphy (3). Signed by Judge Vanzetta P. McPherson on 6/27/06. (kcg,) (Entered: 06/27/2006)
06/27/2006	<u>57</u>	ORDER granting <u>55</u> Motion for Leave to Appear by Susan James as to Shannon S. Murphy (3). Signed by Judge Vanzetta P. McPherson on 6/27/06. (kcg,) (Entered: 06/27/2006)
06/29/2006	<u>59</u>	ORDER as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy resetting Jury Trial, currently set for 9/11/06, for 9/18/2006 before Hon. Chief Judge Mark E. Fuller. Signed by Judge Mark E. Fuller on 6/29/06. (ajr) (Entered: 06/29/2006)
06/30/2006	<u>61</u>	MOTION to Continue by Shannon S. Murphy. (James, Susan) (Entered: 06/30/2006)
07/06/2006	<u>63</u>	ORDER as to Shannon S. Murphy Pretrial Conference set for 7/17/2006 at 9 a.m. is hereby RE-SET for 7/20/2006 at 11:00 AM in Courtroom 5A before Honorable Vanzetta P. McPherson.. Signed by Judge Vanzetta P. McPherson on 7/6/2006. (sql,) (Entered: 07/06/2006)
07/06/2006		***Motion terminated as to Shannon S. Murphy: <u>61</u> MOTION to Continue filed by Shannon S. Murphy,. (ORDER FILED 7/6/06 GRANTED THE MOTION) (war,) (Entered: 08/18/2006)
07/20/2006	<u>76</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Pretrial Conference as to Shannon S. Murphy held on 7/20/2006 (Recording Time FTR: 11:02 - 11:06.) (war,) (Entered: 07/20/2006)
07/20/2006	<u>77</u>	ORDER as to Kendall R. Watson, Shannon S. Murphy that based upon this court's order setting the trial in the above-styled case for September 18, 2006, and for good cause, it is ORDERED that the parties shall appear for a Pretrial Conference set for 8/21/2006 09:00 AM in Courtroom 5A before Honorable Vanzetta P. McPherson. Signed by Judge Vanzetta P. McPherson on 7/20/06. (kcg,) (Entered: 07/20/2006)
08/01/2006	<u>78</u>	Terminate Deadlines and Hearings as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy: (kcg,) (Entered: 08/01/2006)
08/10/2006	<u>86</u>	CJA 20 as to Shannon S. Murphy: Authorization to Pay Banks T. Smith. Amount: \$ 1,133.77, Voucher # 060731000203. Signed by Judge Mark E. Fuller on 8/1/06. (ws) (Entered: 08/10/2006)
08/18/2006	<u>87</u>	(PETITION) MOTION to Revoke PRETRIAL RELEASE Bond, SEALED MOTION by USA as to Shannon S. Murphy. (war,) Modified on 8/21/2006 (war,). (Entered: 08/18/2006)
08/18/2006	<u>88</u>	STAMPED ORDER directing issuance of warrant to defendant RE: Pretrial Release Revocation as to Shannon S. Murphy (3). Signed by Judge Vanzetta P. McPherson on 8/18/06. (war,) Modified on 8/21/2006 (war,). (Entered: 08/18/2006)

08/21/2006	<u>90</u>	NOTICE OF ATTORNEY APPEARANCE: Denise Arden Simmons appearing for Shannon S. Murphy (war,) (Entered: 08/21/2006)
08/21/2006	<u>92</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Pretrial Conference as to Shannon S. Murphy held on 8/21/2006 (Recording Time FTR: 9:09 - 9:09.) (war,) (Entered: 08/21/2006)
08/21/2006	<u>93</u>	NOTICE OF ATTORNEY APPEARANCE: Denise Arden Simmons appearing for Shannon S. Murphy (kcg,) (Entered: 08/21/2006)
08/21/2006	<u>94</u>	MOTION for Detention Hearing by USA as to Shannon S. Murphy. (Moorer, Terry) (Entered: 08/21/2006)
08/21/2006	<u>95</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Initial Appearance re Revocation of Pretrial Release as to Shannon S. Murphy held on 8/21/2006 (Recording Time FTR: 3:08 - 3:38.) (war,) (Entered: 08/22/2006)
08/22/2006	<u>96</u>	ORDER granting <u>94</u> Motion for Detention Hearing as to Shannon S. Murphy (3) Detention Hearing set for 8/24/2006 02:30 PM in Courtroom 5A before Honorable Vanzetta P. McPherson.. Signed by Judge Vanzetta P. McPherson on 8/22/2006. (sql,) (Entered: 08/22/2006)
08/24/2006	<u>97</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Detention Hearing as to Shannon S. Murphy held on 8/24/2006 (Recording Time FTR: 2:39 - 3:01.) (war,) (Entered: 08/24/2006)
08/24/2006	<u>98</u>	ORDER granting <u>87</u> motion to Revoke Bond as to Shannon S. Murphy (3). Defendant Murphy's pretrial release is hereby REVOKED and she is remanded to the custody of the U.S. Marshal, provided that, Murphy be released by the Autauga County Jail, where she is housed, to return to her home on August 24, 2006, in the custody of her parents, Mr. and Mrs. Silas. It is further ORDERED as follows: 1. Murphy's parents are DIRECTED to return Murphy to the Autauga County Jail at or before 9:00 a.m. on August 25, 2006. 2. As soon as practicable upon her return, Murphy shall submit a urine sample to the United States Probation Officer for testing, and the Probation Officer shall advise the Court immediately upon the completion of the test. Signed by Judge Vanzetta P. McPherson on 8/24/06. (kcg,) (Entered: 08/25/2006)
09/05/2006	<u>105</u>	ORDER as to Shannon S. Murphy Change of Plea Hearing set for 9/6/2006 09:00 AM in Courtroom 5A before Honorable Vanzetta P. McPherson. Signed by Judge Vanzetta P. McPherson on 9/5/06. (war,) (Entered: 09/05/2006)
09/06/2006	<u>109</u>	Consent to Enter Guilty Plea before U. S. Magistrate Judge as to Shannon S. Murphy (war) (Entered: 09/06/2006)
09/06/2006	<u>110</u>	PLEA AGREEMENT as to Shannon S. Murphy (war,) (Entered: 09/06/2006)

09/06/2006	●	ORAL ORDER ADJUDICATING GUILT as to Count 1 of the Indictment as to Shannon S. Murphy . Signed by Judge Vanzetta P. McPherson on 9/6/06. (war,) (Entered: 09/06/2006)
09/06/2006	● <u>111</u>	Minute Entry for proceedings held before Judge Vanzetta P. McPherson :Change of Plea Hearing as to Shannon S. Murphy held on 9/6/2006, Plea entered by Shannon S. Murphy (3) Guilty Count 1. (Court Reporter Jimmy Dickens.) (war,) (Entered: 09/06/2006)
09/15/2006	●	Terminate Deadlines and Hearings as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy: (kcg,) (Entered: 09/15/2006)
09/18/2006	● <u>113</u>	ORDER as to Shannon S. Murphy Sentencing is set for 11/21/2006 09:00 AM in Courtroom 2A before Hon. Chief Judge Mark E. Fuller, as further set out. Signed by Judge Mark E. Fuller on 9/18/06. (kcg,) (Entered: 09/18/2006)
11/06/2006	● <u>118</u>	MOTION for Reduction in Criminal Offense Level for Acceptance of Responsibility by USA as to Shannon S. Murphy. (Moorer, Terry) (Entered: 11/06/2006)
11/06/2006	● <u>119</u>	MOTION for Downward Departure <i>Pursuant to 5K1.1 USSG</i> by USA as to Shannon S. Murphy. (Moorer, Terry) (Entered: 11/06/2006)
11/15/2006	● <u>123</u>	SENTENCING MEMORANDUM by Shannon S. Murphy (James, Susan) (Entered: 11/15/2006)
11/21/2006	● <u>126</u>	Minute Entry for proceedings held before Judge Mark E. Fuller :Sentencing held on 11/21/2006 as to Shannon S. Murphy (3)(Court Reporter James R. Dickens.) (Attachments: # <u>1</u> Dft Witness List) (kcg,) (Entered: 11/22/2006)
11/21/2006	●	ORAL ORDER as to Shannon S. Murphy GRANTING <u>118</u> MOTION for Reduction in Criminal Offense Level for Acceptance of Responsibility filed by USA and GRANTING <u>119</u> MOTION for Downward Departure <i>Pursuant to 5K1.1 USSG</i> filed by USA. Signed by Judge Mark E. Fuller on 11/21/06. (kcg,) (Entered: 11/22/2006)
11/29/2006	●	Case as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy Reassigned to Judge Wallace Capel, Jr. Judge Vanzetta P. McPherson no longer assigned to the case. (war,) (Entered: 11/29/2006)
12/01/2006	● <u>128</u>	JUDGMENT as to Shannon S. Murphy (3), Count(s) 1, 24 Mos Imp; 3 Yrs Sup Rel; \$100 SA . Signed by Judge Mark E. Fuller on 12/1/06. (kcg,) (Entered: 12/01/2006)
12/01/2006		***Case Terminated as to Shannon S. Murphy (kcg,) (Entered: 12/01/2006)
12/04/2006	● <u>130</u>	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Shannon S. Murphy (kcg,) (Entered: 12/04/2006)

01/12/2007	 <u>135</u>	MOTION to Substitute Attorney by USA as to Kendall R. Watson, Calvin Chance, Shannon S. Murphy. (Morris, A.) (Entered: 01/12/2007)
01/30/2007	 <u>136</u>	Judgment Returned Executed as to Shannon S. Murphy on 1/11/07. (kcg,) (Entered: 01/31/2007)
02/07/2007	 <u>137</u>	ORDER granting <u>135</u> Motion to Substitute Attorney by A. Clark Morris as to Terry F. Moorer. Signed by Judge Mark E. Fuller on 2/7/07. (kcg,) (Entered: 02/08/2007)